

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0040-01
Bill No.: HB 124
Subject: Environmental Protection; Parks and Recreation
Type: Original
Date: January 31, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	Less than (\$100,000)	Less than (\$100,000)	Less than (\$100,000)

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration** and the **Department of Transportation** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of State Public Defender** assumes that existing staff could provide representation for those 50-75 cases arising where indigent persons were charged with possessing or using a glass container within 50 feet of any navigable waterways in the State of Missouri. However, passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover cumulative costs of representing the indigent accused in the additional cases.

Officials from the **Office of State Courts Administrator** stated that because the penalty provision does not become effective until January 1, 2003, they would assume there would be sufficient time to make people aware of and compliant with the law. Therefore, they would not anticipate a significant impact on the workload of the courts.

Officials from the **Office of Prosecution Services** stated that the cost to prosecutors is unknown, but it is assumed to be less than \$100,000.

Officials from the **Department of Conservation** (MDC) assume the proposed legislation would have minor fiscal impact on MDC funds because of enforcement costs. MDC stated that they could absorb these costs with existing resources.

Officials from the **Department of Natural Resources** stated that the provisions of this legislation are currently being enforced on State Park property by the State Park Rangers and Commissioned Superintendents. Therefore, this proposal should have no impact on the department.

Officials from the **Missouri State Water Patrol** (MSWP) assume the additional manpower to enforce the new law would necessitate a minimum of one additional officer per district. This would be a common violation that would require a lot of the officers' attention. Consequently, enforcement of other boating laws, such as boating while intoxicated, would suffer. Also, one additional dispatcher is needed to handle the additional radio traffic, filing, and entering citations and warnings. In total, six additional officers and one dispatcher would be needed to enforce this proposed legislation.

This proposal has an effective date of January 1, 2002. The MSWP has reflected personal service costs and the related expenses for the seven requested FTE for twelve months of FY
ASSUMPTION (continued)

2002. The MSWP would need to start their officers before the effective date of this proposal in order to provide training to these requested officers. The MSWP estimates the costs of this proposal to be \$968,166 in FY 02, \$554,253 in FY 03, and \$563,058 in FY 04.

Oversight assumes the provisions of this proposal would not require the expansion of territory or work hours for water patrol agents in the state. It would simply add to the list of infractions for which they could issue a warning or citation. Therefore, Oversight has not included costs for new staff, expenses and equipment.

In addition, Oversight assumes local governments could realize an increase in fine revenue after January 1, 2003 in unknown amounts.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
Local Government			
<u>Cost</u> to prosecutors	<u>Less than (\$100,000)</u>	<u>Less than (\$100,000)</u>	<u>Less than (\$100,000)</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal prohibits the possession or use of glass food or beverage containers within 50 feet of any navigable waterway in the state, except in designated camps or picnic areas or in vehicles on designated roads and parking areas. The following persons shall be exempt: (1) individuals with permits specifically authorizing the possession or use of glass containers, (2) any federal, state or local officer or member of an organized rescue or firefighting force in the performance of duties, and (3) persons on private lands. Violators will be issued warnings from January 1 to December 31, 2002. On or after January 1, 2003, violations are a class C misdemeanor.

DESCRIPTION (continued)

The provisions of this section shall become effective January 1, 2002.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Conservation
Department of Natural Resources
Department of Transportation
Missouri State Water Patrol
Office of Administration
Office of Prosecution Services
Office of State Courts Administrator
Office of State Public Defender

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "e" at the end.

Jeanne Jarrett, CPA
Director

January 31, 2001